

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAN 04 2012

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Patricio Zamora

Case Number: 2:04CR00168-001 -RHW

Address of Offender: [REDACTED] Kennewick, WA 99336

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: 2/10/2005

Original Offense: Attempt to Distribute at Least 2 Kilograms but Less Than 3.5 Kilograms of Cocaine,
18 U.S.C. § 846

Original Sentence: Prison - 46 Months; TSR - 48 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Joseph H. Harrington Date Supervision Commenced: 8/7/2008

Defense Attorney: Rebecca Pennell Date Supervision Expires: 8/6/2012

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 6/8/2010 and 3/31/2011.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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5	Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.
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Supporting Evidence: Patricio Zamora is considered in violation of his period of supervised release in the Eastern District of Washington by committing the offenses of driving under the influence, driving with a suspended license, and driving without interlock, on or prior to December 3, 2011.

On December 3, 2011, an officer with the Kennewick Police Department contacted the defendant after observing him swerving. When contacted the defendant advised the officer his driving status was suspended. He also admitted he had "a lot" to drink. The officer confirmed the defendant's driving status was suspended and that he was to have the interlock system in place if he was driving. The defendant was arrested under case number 1Z0820252 and taken to the Benton County Jail. The defendant refused to participate with the BAC test. The officer was able to obtain a warrant to have blood drawn and the

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defendant was taken to Kennewick General Hospital. It took several officers to hold the defendant down as he was uncooperative with the blood draw.

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Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Patricio Zamora is considered in violation of his period of supervised release in the Eastern District of Washington by committing the offence of operating a motor vehicle without insurance on or prior to December 3, 2011.

As noted above, the defendant was arrested after he was found to be operating a vehicle under the influence. During the contact with the officer, it was determined the vehicle was uninsured. The defendant was cited under case number 1Z0820253.

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Mandatory Condition # 7: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.

Supporting Evidence: Patricio Zamora is considered in violation of his period of supervised release in the Eastern District of Washington by using alcohol to excess on or prior to December 3, 2011.

As noted above, after the defendant was contacted by the officer, he admitted to having "a lot" to drink prior to the contact. The defendant also admitted to this officer on December 8, 2011, that he had been drinking heavily the night he was contacted. He further noted he had been at a local concert with his girlfriend and they both were intoxicated.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 1/4/2012

s/David L. McCary

David L. McCary
U.S. Probation Officer

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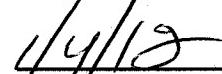
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THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Other



Signature of Judicial Officer



Date